

**Puget Sound Salmon Recovery Council**  
**July 28, 2011, 10:00 a.m. – 3:00 p.m. | Edmonds City Hall**

**DRAFT Meeting Summary**

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**Meeting Attendees**

***Recovery Council Members and Alternates***

Sam Anderson  
Josh Baldi  
Ken Berg  
Scott Brewer  
Richard Brocksmith  
Allison Butcher  
Alan Chapman  
Scott Chitwood  
Raymond Colby  
Ken Dahlstedt  
Don Davidson  
Rich Doenges  
Jeanette Dorner  
Tom Eaton  
Bob Everitt  
Richard Fralick  
Billy Frank, Jr.  
Robert Franklin  
Hilary Franz  
David Herrera  
Angie Homola  
Debby Hyde  
Randy Kinley  
Sara LaBorde  
Paul McCollum  
Joan McGilton  
Dennis McLerran  
Bridget Moran  
Doug Osterman  
Tom Ostrom  
Kathy Peters  
Scott Powell  
Rob Purser  
Kimberly Robertson  
Sandra Romero  
Dana Sarff  
Mike Shelby  
Richard Solomon

***Representing***

Master Builders Association  
Washington State Department of Ecology  
United States Fish and Wildlife Service  
Hood Canal Coordination Council  
Hood Canal Coordination Council  
Master Builders Association  
Lummi Tribe  
Dungeness/Elwha Watershed  
Makah Tribe  
Skagit County  
WRIA 8  
South Sound Watershed  
Nisqually Watershed  
Environmental Protection Agency  
Washington State Department of Fish and Wildlife  
San Juan County Watershed  
Northwest Indian Fisheries Commission  
Sauk-Suiattle Tribe  
Washington Environmental Council  
Skokomish Tribe  
WRIA 6  
WRIA 10/ WRIA 12  
Lummi Tribe  
Washington State Department of Fish and Wildlife  
Port Gamble S'Klallam Tribe  
WRIA 9  
Environmental Protection Agency  
Washington State Department of Natural Resources  
WRIA 9  
Suquamish Tribe  
West Sound Watersheds  
Snohomish Watershed  
Suquamish Tribe  
Makah Tribe  
South Sound Watershed  
Makah Tribe  
Western Washington Agricultural Association  
Lummi Tribe

Will Stelle  
Ted Sturdevant  
Steve Tharinger  
David Troutt  
Tim Walls  
Jacques White  
Jean White  
Terry Williams  
Fran Wilshusen  
Gordon Wilson  
Terry Wright  
Shawn Yanity

***Observers and Guests***

GayLynn Beighton  
  
Kathy Minsch  
John Gabrielson  
Lloyd Moody  
Megan Duffy  
Janne Kaje  
Jason Mulvihill-Kuntz  
Sarah Ogier  
Margaret Duncan  
Allison Crawford  
Steve Landino  
Kaleen Cottingham  
Krista Bartz  
Kirk Lakey  
Mike Parton  
Kit Rawson  
Mindy Rowse  
Dan Berneson  
Julie Collins  
Gary Stokas  
Yvette Lizée-Smith  
Galen Baitman  
Paul Dye  
Emily Pickron  
Sherre Copeland  
  
Roylene Rides at the Door  
  
Robin Slate  
  
Mark Clark

National Oceanic and Atmospheric Administration  
Washington State Department of Ecology  
Dungeness/Elwha Watershed  
Nisqually Tribe  
Snohomish County  
Long Live the Kings  
WRIA 8  
Tulalip Tribe  
Northwest Indian Fisheries Commission  
Lummi Tribe  
Northwest Indian Fisheries Commission  
Stillaguamish Tribe

***Representing***

Chiles Co Commercial Real Estate, Swan Lake  
Watershed Preservation Group  
City of Seattle  
Environmental Protection Agency  
Governor's Salmon Recovery Office  
Governor's Salmon Recovery Office  
King County  
WRIA 8  
King County  
MidSound Fisheries FEG  
National Oceanic and Atmospheric Administration  
National Oceanic and Atmospheric Administration  
RCO - SRFB  
Recovery Implementation Technical Team  
Recovery Implementation Technical Team  
Recovery Implementation Technical Team  
Recovery Implementation Technical Team  
Recovery Implementation Technical Team  
Skagit County  
Skagit County  
Skagit County  
Snoqualmie Watershed Forum  
Swan Lake Watershed Island Group  
The Nature Conservancy  
United States Department of Agriculture  
United States Department of Agriculture - Natural  
Resource Conservation Service  
United States Department of Agriculture - Natural  
Resource Conservation Service  
United States Department of Agriculture - Natural  
Resource Conservation Service  
Washington State Conservation Commission

Patty Charnas

West Sound Watersheds

### **Staff**

John Cambalik

Michael Grayum

Alana Knaster

John Meyer

Gerry O'Keefe

Tristan Peter-Contesse

Rebecca Ponzio

Morgan Schneider

Scott Williamson

Ken Currens

Laura Blackmore

Sidney Brown

### **Representing**

Puget Sound Partnership

Puget Sound Partnership

Puget Sound Partnership

Puget Sound Partnership

Puget Sound Partnership

Puget Sound Partnership

Puget Sound Partnership

Puget Sound Partnership

Puget Sound Partnership

Recovery Implementation Technical Team

Blackmore Consulting

Cascadia Consulting

## **Welcome and Review Meeting Summary**

Steve Tharinger welcomed Puget Sound Salmon Recovery Council (Council) members, guests, and staff, and asked everyone to introduce themselves. Facilitator Laura Blackmore reviewed the agenda. The May 26 meeting summary was accepted with no changes.

## **Improving Habitat Protection**

Acting Director Rebecca Ponzio began this discussion by reading a letter from Governor Christine Gregoire, voicing the Governor's support of Puget Sound habitat restoration and salmon recovery. In this letter, the Governor encouraged cooperation among Council members to address the "real and important" concerns presented in *2011 Implementation Status Assessment – A Qualitative Assessment of Implementation of the Puget Sound Chinook Salmon Recovery Plan*, presented by the National Oceanic and Atmospheric Administration (NOAA), and *Treaty Rights at Risk*, a white paper presented by the Treaty Indian Tribes in western Washington. Governor Gregoire acknowledged that achieving habitat restoration and salmon recovery in Puget Sound requires considerable financial resources and political commitment. The Governor also stressed the importance of improved effectiveness through strengthened partnerships between Council member organizations.

At the outset of the meeting, Rebecca Ponzio and Steve Tharinger expressed their goal of using the studies produced by NOAA and the Treaty Indian Tribes as a platform to generate commitments to improved habitat protection from federal and state agencies, tribes, and local watershed groups.

### **NOAA Report**

Will Stelle, Regional Administrator for the Northwest Region of NOAA's National Marine Fisheries Service, presented the findings of *2011 Implementation Status Assessment – A Qualitative Assessment of Implementation of the Puget Sound Chinook Salmon Recovery Plan*, (NOAA report). NOAA commissioned this qualitative report in 2010 as a strategic gauge of general trends in salmon recovery program implementation and the restoration of Puget Sound salmon populations. The report included the following general findings:

- **Recovery plan implementation is proceeding but is behind pace**, with mixed results within and across watersheds.

- **Harvest program implementation**, focused on rendering adjustments in harvest management strategy across the lifecycle of Chinook, **is in place and meeting stated objectives**. Reports indicate substantial and reliable reductions in harvest-related effects on listed stocks, with an average of 30-40% reductions across individual populations. Fully developed harvest management mechanisms are available to federal, state, and tribal co-managers both internationally and domestically.
- **Hatchery program implementation is backlogged and understaffed, but there is substantial engagement**. NOAA Fisheries is working with Puget Sound co-managers to engage in facility- and program-level changes to assist with rebuilding; mechanisms for this include development of hatchery management plans.
- **Local staffing levels are inadequate for program implementation across the Hs and across the watersheds**. Continued declines in public funding will likely exacerbate this problem.

Will Stelle identified the following key habitat findings from the NOAA report:

- **Voluntary commitments to habitat restoration remain strong**, although these commitments vary across individual watersheds and locations.
- **Puget Sound habitats continue to decline substantially.**
- **Certain important recovery actions for habitat protection and restoration are lagging.**

Between 2001 and 2006, developed land in Puget Sound increased by approximately 3%; 4,300 acres of agricultural land and 10,700 acres of forest were lost. This report establishes a current baseline for habitat protection programs in Puget Sound, describes the deficits created over the last century, and the presents the steepness of the recovery slopes.

As noted in the NOAA report, the Puget Sound region is projected to face substantial population growth over the next 10-20 years. The report suggests that, if previous trends continue, this population increase could result in lost habitat types, quality, and function, which would likely lead to declines in productivity of riverine and shoreline ecosystems, affecting their ability to rebuild salmon populations. Will Stelle concluded this review of the NOAA report by suggesting that successful salmon recovery requires a meaningful change in these historical trends.

Council members responded to the presentation of the NOAA report with the following questions and comments, to which Will Stelle responded:

- Does the federal government have financial responsibility to address issues caused by federal decisions?
  - Yes, on a case-by-case and project-by-project basis.
- Local government could use federal support for local actions.
- Data used in the NOAA report only go through 2006, prior to the adoption of the recovery plan.
  - The use of this data should not undercut the report findings.
- Successful salmon recovery requires a landscape approach, spanning jurisdictional boundaries, which is one of the Council's strengths.
- Community outreach is an important part of salmon recovery, but its positive effects may take time to emerge. Recent increased collaboration between the agricultural and salmon recovery communities exemplify this.
- Local jurisdictions would like to have a dialogue with community members to discuss and clarify the science behind salmon recovery and related decisions.
- Tribal, state, and federal governments could partner and provide assistance at community meetings, providing support for community members against groups with opinion-based opposition to activities related to salmon recovery.
- Local governments require funding for long-range planning.

## Tribal White Paper

Vice Chair David Herrera presented the findings of *Treaty Rights at Risk*. This white paper identifies a decline in salmon habitat, partially attributed to the lack of alignment between agencies charged with managing the land and water in the Puget Sound watershed.

A delegation of tribal Council members met with members of the Obama administration in Washington D.C. The Council on Environmental Quality committed to organizing the federal agencies to review and respond to the requests presented in the white paper. The three following requests were presented in *Treaty Rights at Risk*:

- **Stop treating tribes differently with regard to salmon recovery.** Apply at least as stringent a conservation standard to actions affecting salmon habitat as is applied to salmon harvest. Assure that all federal actions affecting habitat contribute to recovery of salmon and orca.
- **Protect and restore Treaty rights through habitat protection and restoration** with the goal of restoring salmon to harvestable levels.
- **The federal government should provide oversight in the coordination and implementation of salmon recovery in Puget Sound**, particularly given their federal trust responsibility to tribes.

David Herrera concluded by noting that the tribal community is not proposing different structures. Rather, they would like to see Council and local watershed groups play a larger role in assisting city and county governments with the implementation of salmon recovery plans.

Council members provided the following suggestions and questions in response to the presentation by David Herrera:

- Habitat loss is occurring quickly, making it critical to address salmon recovery with a greater sense of urgency and focus. The federal government can help guide this process.
  - The federal agencies have heard this message and take it very seriously, and are working together to identify current successes, challenges, and opportunities.
- Attendees and the organizations they represent should work together to craft and send a unified message.
- Tribal communities feel a deep sense of urgency around salmon recovery and would like to see increased cooperation between Council members and politicians. Salmon recovery plans will require political willpower.
- Funding increases may not happen. Salmon recovery efforts should plan to move forward without additional money, making difficult decisions to prioritize how these funds are spent. Collective action, creative solutions, and compromise will be critical to this process.
- Tribal communities would like to see federal agencies reinvigorate and guide salmon recovery efforts.
- Federal and state agencies need to clearly articulate the scientific grounding and legal authority supporting community-level salmon recovery efforts. Local governments are closest to the community but have short-term memories and are farthest from science. Community awareness of the importance of salmon recovery seems to be regressing.
- Many existing laws need enforcement.
- Council members should identify critical issues and turn them into clear public messages.
- Successful salmon recovery will require education and political will, expressed through regulation.

Council members repeatedly addressed the need for increased partnership across federal and state regulatory agencies, tribal communities, and watershed groups, and community organizations and government.

## Commitments to Action

Representatives from federal and state agencies, tribal communities, and local government made the following comments and commitments to action:

### *Washington Department of Fish and Wildlife (DFW)*

- HPA: evaluate effectiveness and establish a compliance monitoring system.
- Continue to provide technical assistance.
- Want to have regulation improvement conversations at the Recovery Council.
- Committed to talking about hatcheries and harvest.

### *Washington Recreation and Conservation Office (RCO)*

- Continue to fund salmon recovery.
- Strategically link investments to recovery and link these funds to three-year salmon recovery plans.
  - Should this funding be equitably distributed across the basin? It is important to consider how funding is distributed.
- Advocate for sustained funding for salmon recovery through the governor's office, legislature, and congress.
- Develop a coalition for salmon recovery, similar to the Washington Wildlife and Recreation Coalition, to help with lobbying.
- Identify key data gaps and monitoring priorities, which will receive 10% of the Pacific Coastal Monitoring Fund.
- Continue to produce the State of the Salmon report.
- Track state agency commitments to salmon recovery expressed in the 2008 Governor's Salmon Recovery Office report.

### *Washington Department of Natural Resources (WDNR)*

- Measure the success of leases and timber harvests as related to the health and recovery of Puget Sound.
- Create an internal checklist to align WDNR activities with Puget Sound recovery targets.
- Develop partnerships with DFW and other agencies.
- Partner with Ecology to meet Clean Water Act standards and measure whether sediment is entering Puget Sound as a result of riparian strategies.
- Work with timber owners to remove barriers and repair roads.
- Partner with other state agencies to ensure their work aligns.

### *Washington Department of Ecology (Ecology)*

- Support focus on increased habitat protection.
- Continue work on implementation of the Shoreline Management Program, including participation on local conversations.
- Participate in local discussions of municipal stormwater permits.
- Solicit advice from the Council on how to focus resources to target in-stream flows and ways to incorporate restoration.
- Produce a report on toxics loading in Puget Sound, designed to inform discussion around toxics reduction programs.
- Coordinate with Ecology and the Washington State Conservation Commission to respond to the governor's request for a shellfish-focused initiative.
- Encourage greater tribal participation in the state legislative process.

#### *Washington State Conservation Commission (WSCC)*

- Requires additional funding to maintain Conservation Reserve Enhancement Program activities and staff. Council members can help advocate for WSCC in the state legislature.
- Evaluate the effectiveness of best management practices.
- Director of WSCC will participate in talks with Ecology and WDNR.
- Provide community education on the Ruckleshaus/Voluntary Stewardship Program through webinars. This is part of an effort to communicate implementation activities more broadly.

#### *Puget Sound Partnership (PSP)*

- Continue to convene the Council and explore ways to improve its ability to bolster political will and act strategically to advance the salmon recovery conversation.
- Reverse the downgraded shellfish beds in Samish Bay by September, 2012, and prevent further degradation of other shellfish beds.
- Identify areas where the template of Samish Bay shellfish bed project can be applied and begin community outreach.
- Help the navy, tribal governments, and local governments in Hood Canal target \$4 million in mitigation funds from the navy toward a high-value recovery project.
- Identify gaps in the current data and find funding for an adequate data system.

#### *United States Environmental Protection Agency (EPA)*

- Partner with NOAA to convene the federal caucus to establish the highest priority area. Dennis McLerran, Regional Administrator for EPA Region 10, and Will Stelle offered to facilitate the meeting of the directors of Ecology, WSCC, and WDNR.

#### *United States Department of Agriculture Natural Resource Conservation Service*

- Invest \$150,000 in a Puget Sound small farmers' initiative for watershed planning.
- Continue to wait for a response regarding a \$75 million proposal
- Work with Ecology and the Washington Department of Agriculture to identify and assess at-risk lagoons, improve air quality, and address forest restoration.
- Build aquaculture and forestry programs, accessing funds from original budget process if the pending \$75 million application fails.
- Cultivate working relationships with tribal communities and conservation districts.

#### *United States Fish and Wildlife Services (USFWS)*

- Build on current funding of Thurston County planning staff by funding community development
- Continue work with tribal communities and other federal agencies on habitat restoration projects in the Skokomish, Elwha, and Nisqually watersheds.
- Continue to advance the Section 6 land acquisition program.
- Work with the US Army Corps of Engineers to ensure their leadership and presence in salmon recovery and habitat protection and restoration.

#### *NOAA*

- Will Stelle has heard the tribal criticisms and takes these very seriously. NOAA and the EPA will work together to identify how they can address these criticisms and how to best partner with state agencies, the tribal caucus, and local governments. NOAA and EPA will report back to the Council in September.
- Anticipates NOAA and coordinating federal agencies employing a programmatic and geographic emphasis.
- Federal agencies can contribute scientific research, knowledge, storytelling and general communications, advocacy, enforcement, and a suite of regulatory and spending tools.

### *Nisqually Tribe*

- Would like a closer analysis of existing regulatory tools and their implementation. Are these tools, if used, able to achieve desired habitat restoration and salmon recovery?

### *Stillaguamish Tribe*

- Requests creative policy changes to address the tension between agricultural land use and restoration project through strategically focused funding.

### *Lummi Tribe*

- There are issues with the current zero-rise regulations.

### *Makah Tribe*

- Introduced Kimberly Robertson, who will take over from Dana Sarff as the Makah Tribe watershed scientist.

### *Local governments*

- Mandates should be based on funding.
- At the local level, there needs to be coordination between flood control, habitat restoration, agriculture and salmon recovery.
- How do you integrate local organizations with the Puget Sound Partnership action agenda and ensure these are consistent?
- Federal and state grant opportunities need to be integrated.
- The US Army Corps of Engineers should be more involved in the salmon recovery and habitat restoration process. Where are they?
- Ecology should consider creating an incentive program to encourage local landowners to abide by nearshore management policies, rather than simply regulating them.
- The EPA and other federal agencies should clearly outline the top priorities for local governments.
- Federal and state agencies should align grants and incentive programs with the priorities defined in the Puget Sound Partnership action agenda.
- Communicate with, and educate, community members on the linkages between habitat restoration and salmon recovery. Maintain focus on the “big picture” of habitat.
- A matrix of tools is available for local governments. These tools could be used more effectively.
- State and federal agencies should provide on-the-ground support for local governments as they attempt to implement projects, particularly those with public opposition. It would also be beneficial to have tribal support, particularly at community meetings.
- Local governments would like to see a funding source for communities working collaboratively.
- Do salmon recovery plan actions protect Treaty rights?

### *Agriculture*

- Would like to see an increase in funding for farmland preservation and collaborative projects.
- Gradual shifts in the process and incentives for collaboration are more effective than heavy-handed regulations and litigation.

Recovery Council staff will work to summarize these commitments into an action plan for further discussion at the September 22 meeting.

## **RITT and PSSRC Relationship**

Kit Rawson announced that this discussion has been moved to the September meeting to accommodate the discussion of habitat protection and related commitments to action.

## **Funding Salmon Recovery: Watershed Investment District Draft Legislation**

Doug Osterman opened this discussion by providing a brief background on the draft bill, which has grown from a local initiative to a cross-watershed effort to develop a watershed funding mechanism. This draft bill proposes the creation of a watershed-based governance structure to bring trans-jurisdictional consistency and partnerships. A major tenet of this bill is the creation of a watershed investment district, which would develop a tailored watershed funding plan to ensure predictable funding. Doug Osterman is currently soliciting questions and hopes to gain Puget Sound or statewide traction for this idea.

## **Acting Director's Report**

Acting Director Rebecca Ponzio reminded attendees that the September 22 Council meeting would build on the July 28 discussion of habitat protection.

Gerry O'Keefe concluded the meeting by announcing the newly appointed Salmon and Ecosystem Recovery Director, Jeanette Dorner. Currently a Council member, Jeanette will transition to the director position on August 22. Steve Tharinger thanked Rebecca for her excellent service and leadership as Acting Director.

## **Wrap up and Adjourn**

Subsequent meetings will be as follows. All meetings begin at 10:00 a.m. at Edmonds City Hall unless otherwise specified:

- September 22
- December 1